

**THE VIRGINIA BOARD FOR
ASBESTOS, LEAD AND HOME INSPECTORS**

MEETING MINUTES

The Virginia Board for Asbestos, Lead and Home Inspectors met on November 7, 2007 in Board Room 1 at the offices of the Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia.

The following members of the Board were present:

Frederick Heppner, Chairperson
Dolores Daniels
Howard D. Varner
Thomas Joel Loving
David Bowen Hyatt
Keith F. Cronan
Dr. Clayton S. Sinyai

Board members John C. Bouldin, Vicki Harlow and Wendy Hill were unable to attend the meeting.

The following members of DPOR staff were present during some or all of the meeting:

Jay W. DeBoer, Director
Karen O'Neal, Deputy Director for LRD
David Dick, Executive Director
Earlyne Perkins, Legal Analyst
David G. Dehetre Office Manager

Elizabeth Peay from the Office of the Attorney General was present.

Others who attended the meeting included:

Leroy Shecut, Applicant

Chairperson Heppner, finding a quorum of the Board present, **Call to Order** called the meeting to order at 9:03 am.

Mr. Cronan moved that the Board approve the agenda. Mr. **Adopt Agenda** Loving seconded the motion, which was unanimously approved by the following members: Heppner, Daniels, Varner, Loving, Dr. Sinyai, Hyatt and Cronan. Mr. Bouldin, Ms. Harlow and Ms. Hill were not present for the vote.

Mr. Varner moved that the Board approve the minutes of its **Approval of Board** August 22, 2007 meeting and the IFF minutes of August 23, **Minutes**

2007, September 21 and 27, 2007 and the IFF minutes from October 4, 2007. Mr. Loving seconded the motion which was unanimously approved by the following members: Heppner, Daniels, Varner, Loving, Dr. Sinyai, Hyatt and Cronan. Mr. Bouldin, Ms. Harlow and Ms. Hill were not present for the vote.

Chairperson Heppner opened the floor for public comment. No person present asked to address the Board.

Public Comment
Period

In the matter of **File Number 2007-02491, David Lawrence Perrin**, the Board reviewed the record which consisted of the complaint file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. David Lawrence Perrin (Respondent) was not present.

File Number
2007-02491

Upon a motion by Mr. Howard and seconded by Mr. Sinyai, the Board found Mr. Perrin in violation of both counts. The motion was unanimously approved by the following members: Heppner, Daniels, Varner, Loving, Dr. Sinyai, Hyatt and Cronan. Mr. Bouldin, Ms. Harlow and Ms. Hill were not present for the vote.

Upon a motion by Mr. Hyatt and seconded by Mr. Cronan, the Board fined Mr. Perrin \$100 per count for a total fine of \$200. The motion was unanimously approved by the following members: Heppner, Daniels, Varner, Loving, Dr. Sinyai, Hyatt and Cronan. Mr. Bouldin, Ms. Harlow and Ms. Hill were not present for the vote.

In the matter of **File Number 2008-00401, Leroy Macbeth Shecut Jr.**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Leroy Macbeth Shecut Jr. (Respondent) was present and addressed the Board.

File Number
2008-00401

Upon a motion by Mr. Hyatt and seconded by Mr. Cronan, the Board adopted the summary and recommendation and approved the application for Asbestos Supervisor license for **Leroy Macbeth Shecut Jr.** The motion was unanimously approved by the following members:

Heppner, Daniels, Varner, Loving, Dr. Sinyai, Hyatt and Cronan. Mr. Bouldin, Ms. Harlow and Ms. Hill were not present for the vote.

In the matter of **File Number 2007-05161, Staige L. Miller**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Ms. Miller (Respondent) was not present.

File Number
2007--05161

Upon a motion by Mr. Hyatt and seconded by Ms. Daniels, the Board adopted the summary and recommendation and approved the application for Lead Inspector license for **Staige L. Miller** under the provisions of 18 VAC 15-30-41 of the Board's regulations. The motion was unanimously approved by the following members: Heppner, Daniels, Varner, Loving, Dr. Sinyai, Hyatt and Cronan. Mr. Bouldin, Ms. Harlow and Ms. Hill were not present for the vote.

The Board decided to vote on these two cases as one block without dissent. In the matter of **File Number 2008-00263, Johnathan Lee Northern and File Number 2008-00928 Raymond Maurice Richardson**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Mr. Northern and Mr. Richardson (Respondents) were not present.

File Numbers
2008-00263 and
2008-00928

Upon a motion by Mr. Varner and seconded by Mr. Loving, the Board adopted the summary and approved the application for Asbestos Supervisor license for Johnathan Lee Northern and approved the application for Asbestos Worker for Raymond Maurice Richardson. The motion was unanimously approved by the following members: Heppner, Daniels, Varner, Loving, Dr. Sinyai, Hyatt and Cronan. Mr. Bouldin, Ms. Harlow and Ms. Hill were not present for the vote.

David Dick presented to the Board a draft for the Boards approval on Fast Track Amendments – Asbestos Contractor Responsibilities. The Board discussed the Amendments and upon motion by Mr. Cronan and seconded by Mr. Loving, the Board approve the Amendments. The motion was unanimously passed by the following members: Heppner, Daniels, Varner, Loving, Dr. Sinyai, Hyatt and Cronan. Mr. Bouldin, Ms. Harlow and Ms. Hill were not present for the vote.

Other Business

David Dick advised the board the Notice of Intended Regulatory Action (NOIRA) on Certified Home Inspectors Regulations has been approved by the Department of Planning and Budget and transmitted to the Secretary of Commerce

Mr. Loving moved that the Board delegate to its Executive Director and his staff the non-discretionary authority to grant a wavier of the 36-month refresher training requirement, found in Section 18VAC15-30-166 (A) (1) of the Board's Lead-Based Paint Activities Regulations, in compliance with Section 18VAC15-30-41, provided the refresher training was completed no later than 3 months after the expiration of the 36 months. Seconded by Mr. Cronan and the motion was approved by the following members: Heppner, Daniels, Varner, Loving, Dr. Sinyai, Hyatt and Cronan. Mr. Bouldin, Ms. Harlow and Ms. Hill were not present for the vote.

David Dick informed the Board that the RFP for Educational Programs is being developed by staff.

David Dick provided the Board with an update on the training program audit activity. The Board took no action.

David Dick reminded the Board members of the necessity to complete and turn in the Conflict of Interests Act/Ethics in Public Contracting forms no later than December 16, 2007.

The following meeting dates have been scheduled.

- February 6, 2008
- May 7, 2008
- August 13, 2008
- November 5, 2008

**Future Meeting
Dates**

Mr. Heppner asked the Board members to complete their conflict of interest forms and travel vouchers.

**Conflict of Interest
Forms and Travel
Vouchers**

Chairperson Heppner, finding no further business to conduct, adjourned the meeting at 10:10 A.M.

Adjournment

Frederick Heppner, Chairperson

Jay W. DeBoer, Secretary

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